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PATENT DEPT  
INTUITIVE SURGICAL, INC  
1266 KIFER RD  
BUILDING 101  
SUNNYVALE CA 94086

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MAR 25 2008

In re Application of Jaime Vargas :  
Application No. 10/661,159 :  
Filed: September 12, 2003 : **OFFICE OF PETITIONS**  
Attorney Docket No. ANDOV-001/US : **DECISION ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed December 12, 2007, to revive the above-identified application.


The petition is **GRANTED**.

This application became abandoned for failure to reply in a timely manner to the final Office Action mailed November 01, 2006, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on February 02, 2007.

The petition satisfies the requirements of 37 CFR 1.137(b) in that petitioner has supplied (1) the reply in the form of an amendment, Request for Continued examination (RCE), and the \$.810.00 filing fee; (2) the petition fee of \$1,540.00, and (3) a proper statement of unintentional delay. Accordingly, the reply to the final Office Action of December 12, 2007 is accepted as having been unintentionally delayed.

Telephone inquiries concerning this decision should be directed to Thuy Pardo at (571) 272-6052 or in her absence, the undersigned at (571)272-7099.

This application is being referred to Technology Center AU 3736 for appropriate action by the Examiner in the normal course of business on the reply received

  
David A. Bucci  
Petitions Examiner  
Office of Petitions